

REMARKS

Claims 1-20 are pending in the application. Claims 1 and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0099567 to Joao. Claims 2 and 4-6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Joao in view of U.S. Patent No. 6,785,718 to Hancock et al. Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Joao in view Hancock and further in view of U.S. Patent Publication No. 2004/0030572 to Campbell et al. Claims 7, 8 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Joao in view of U.S. Patent Publication No. 2002/0120533 to Wiesenmaier et al. Claims 9, 10, 13, and 15-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Joao in view of Wiesenmaier and Hancock. Claim 14 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Joao in view of Wiesenmaier and Hancock, and further in view of Hancock and Campbell. Applicants respectfully traverse. Applicants respectfully request reconsideration and full allowance of all pending claims.

Applicants have amended Claims 1, 11 and 18 to clarify that the management of freight claims is performed by a sender at a sender location. Applicants respectfully submit that the references relied upon by the Examiner fail to teach, disclose or suggest management of freight claims coordinated by a sender of products that are shipped at a sender location. The Examiner's statement that the sender location management of freight claims does not patentably distinguish the claims is unsupported by the evidence put forth by the Examiner. Applicants respectfully submit that the Examiner must show the recited elements in the prior art or allow the claims.

The Examiner maintains the rejection by stating that the limitations of Claims 1, 11 and 18 are intended use. The Examiner provides no factual or legal basis for the rejection. Applicants' disclosure at page 4 lists numerous advantages associated with the management of freight claims from a manufacturer's location. Such advantages are not available from Joao. The advantages result from the processing of freight claims at a manufacture or sender location, not from communication to the send or manufacturer location. By analyzing freight claims at the sender or manufacturer location, the manufacturer or sender has access to detailed delivery information, including the product and customer, in a manner that is not available from processing performed at the shipper. Applicants respectfully request that the Examiner either

provide a legal basis for the rejections and facts that support the legal basis or allow the claims. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection and allow Claims 1-20.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned at 512-338-9100.

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being electronically submitted to the COMMISSIONER FOR PATENTS via EFS on February 24, 2010.

/Robert W. Holland/

Respectfully submitted,

/Robert W. Holland/

Robert W. Holland
Attorney for Applicant(s)
Reg. No. 40,020